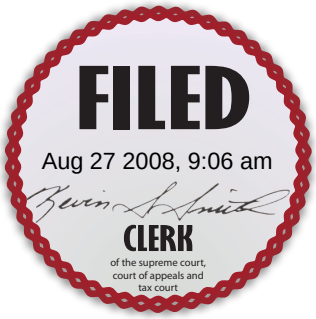
Pursuant to Ind.Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.



APPELLANT PRO SE:

WILLIAM D. CRONKHITE, II
Clovis, NM

IN THE
COURT OF APPEALS OF INDIANA

IN RE THE MARRIAGE OF:	)	
	)	
WILLIAM D. CRONKHITE, II	)	
	)	
Appellant-Petitioner,	)	
vs.	)	No. 34A02-0707-CV-585
	)	
TAMMY CRONKHITE,	)	
	)	
Appellee-Respondent.	)	

APPEAL FROM THE HOWARD SUPERIOR COURT
The Honorable George A. Hopkins, Judge
Cause No. 34D04-0608-DR-650

August 27, 2008

MEMORANDUM DECISION - NOT FOR PUBLICATION

BARNES, Judge

Case Summary

William Cronkhite appeals the trial court's distribution of marital property in the dissolution of his marriage to Tammy Cronkhite. We affirm.

Issue

Although William does not specifically designate any issues for appeal, we frame the issue as whether the trial court properly distributed the marital property.

Facts[1]

William and Tammy were married and had a son. On July 17, 2007, Tammy petitioned for dissolution. While the petition was pending, William was apparently held in contempt of court for failing to make provisional child support payments and was required to serve five days in jail. On February 2, 2007, the trial court held a final hearing on the dissolution petition. The trial court distributed the marital property and awarded Tammy $1000 in attorney fees. William now appeals.

Analysis

William appears to argue that the trial court erred in its distribution of marital property. However, William did not provide us with an appendix and our review is limited to the brief statement of the evidence filed by the trial court. Moreover, even upon the most generous reading, William's brief is not in keeping with the Indiana Rules of Appellate Procedure. The most glaring error is the lack of cogent reasoning supported

[1] William, proceeding pro se, did not file an appendix, making a recitation of the facts difficult. On March 6, 2008, the trial court filed with this court an affidavit of the trial court judge setting out "the court's recollection of the disputed evidence or conduct." Mar. 6, 2008 Response p. 1. We consider this affidavit as a statement of the evidence for purposes of this appeal.

by citations to the appendix and record. See Ind. Appellate Rule 46(A)(8)(a). In fact, the argument section of his brief contains numbered references to various cases and statutes and includes only a few sentences of analysis.

Although we prefer to decide cases on their merits, we will deem alleged errors waived where an appellant's noncompliance with the rules of appellate procedure is so substantial it impedes our consideration of the errors. Shepherd v. Truex, 819 N.E.2d 457, 463 (Ind. Ct. App. 2004). "The purpose of the appellate rules, especially Ind. Appellate Rule 46, is to aid and expedite review, as well as to relieve the appellate court of the burden of searching the record and briefing the case." Id. It is well settled that we will not consider an appellant's assertion on appeal when he or she fails to present cogent argument supported by authority and references to the record as required by the rules. Id. If we were to address such arguments, we would be forced to abdicate our role as an impartial tribunal and would instead become an advocate for one of the parties, which we cannot do. Id.

Moreover, William cannot take refuge in the sanctuary of his amateur status. As we have noted many times before, a litigant who chooses to proceed pro se will be held to the same rules of procedure as trained legal counsel and must be prepared to accept the consequences of his or her action. Id. Accordingly, William's argument is waived for lack of cogent argument.

Conclusion

Because of the inadequacy of William's brief, we cannot address the merits of his claim. The issues raised on appeal are waived. We affirm.

Affirmed.

FRIEDLANDER, J., and DARDEN, J., concur.